

## Message Text

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PAGE 01 STATE 290881

ORIGIN OES-07

INFO OCT-01 EUR-12 ISO-00 FEA-01 ACDA-12 AGRE-00  
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00  
DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05  
FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00  
L-03 NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-05  
PRS-01 SP-02 SS-15 USIA-06 /130 R

DRAFTED BY OES/OFA/FA:DYELLMAN:EEB

APPROVED BY OES/OFA:JDNEGROPONTE

EUR/CE:VGRAY

-----072240 062349Z /64

P 062252Z DEC 77

FM SECSTATE WASHDC

TO AMEMBASSY BERLIN PRIORITY

INFO AMEMBASSY COPENHAGEN PRIORITY

LIMITED OFFICIAL USE STATE 290881

COPENHAGEN FOR FISHATT

E.O. 11652: N/A

TAGS: EFIS, FE

SUBJECT:ALLOCATION OF RESOURCES AVAILABLE FOR FOREIGN  
FISHING OFF U.S. NORTH AND MID-ATLANTIC COASTS FOR 1978

REF: A) STATE 286064, B) BERLIN 08891

1. DEPARTMENT READILY UNDERSTANDS EMBASSY CONCERN WITH  
TOTAL ELIMINATION OF GDR FISHING IN U.S. ZONE FOR 1978.  
LOSS OF MACKEREL FISHERY IS PARTICULARLY REGRETTABLE WHEN  
IT APPEARED AT TIME PRELIMINARY ALLOCATIONS WERE MADE THAT  
GDR WOULD RECEIVE SUBSTANTIAL ALLOCATION THIS SPECIES.

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ELIMINATION OF FOREIGN FISHING FOR HERRING IN 1978, AND  
VIRTUAL ELIMINATION OF FOREIGN FISHING FOR MACKEREL  
(EXCEPT FOR A SMALL BYCATCH), WERE, HOWEVER, DEVELOPMENTS  
OUTSIDE DEPARTMENT'S CONTROL. SINCE OTHER FINFISH CATE-  
GORY WAS FOR BYCATCH IN MACKEREL FISHERY, ELIMINATION THIS  
CATEGORY FROM GDR ALLOCATION WAS TIED TO ELIMINATION OF  
MACKEREL.

2. FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976 (FCMA)  
ASSIGNS NO ROLE TO DEPARTMENT IN DEVELOPMENT OF OPTIMUM  
YIELDS FOR THE VARIOUS SPECIES, FROM WHICH U.S. HARVESTING  
CAPACITY AND TOTAL ALLOWABLE LEVEL OF FOREIGN FISHING

(TALFF) ARE DERIVED. DETERMINATIONS OF OPTIMUM  
YIELD ARE MADE BY REGIONAL FISHERY MANAGEMENT COUNCILS  
AND DEPARTMENT OF COMMERCE ON BASIS OF BEST AVAILABLE  
SCIENTIFIC DATA AND DOMESTIC ECONOMIC AND SOCIAL CONSIDERA-  
TIONS. WHEN TALFF FIGURES ARE RECEIVED BY DEPARTMENT THEY  
ARE NO LONGER ARGUABLE OR NEGOTIABLE, ALTHOUGH FROM THAT  
POINT DEPARTMENT CAN EXERCISE SOME DISCRETION IN MAKING  
ALLOCATIONS BASED ON FOREIGN POLICY CONSIDERATIONS. NO  
DISCRETION WAS AVAILABLE IN DEALING WITH GDR ALLOCATIONS  
SINCE THE TWO SPECIES FOR WHICH THEY TRADITIONALLY FISHED  
WERE ELIMINATED FROM FOREIGN FISHERIES IN 1978. OTHER  
SPECIES AVAILABLE IN ATLANTIC AREA, SUCH AS SQUID AND  
HAKE (FOR WHICH THE GDR HAS NOT FISHED IN THE PAST), WERE  
IN SUCH SHORT SUPPLY VIS-A-VIS DEMAND THAT TO ASSIGN ALLO-  
CATIONS OF THESE SPECIES TO GDR WOULD HAVE CREATED  
CORRESPONDING OR GREATER PROBLEMS WITH THE COUNTRIES  
SUFFERING THE CUTS.

3. ELIMINATION OF GDR FISHERY FOR 1978 DOES NOT MEAN THAT  
SAME CIRCUMSTANCES WILL HOLD IN 1979. A GOOD RECOVERY  
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OF THE STOCKS COULD MEAN A REOPENING OF MACKEREL AND  
HERRING FISHERIES NEXT YEAR OR IN SUBSEQUENT YEARS.

4. DEPARTMENT HAS DONE ITS BEST TO KEEP ALL POSTS ADVISED  
OF PROBLEMS INVOLVED IN 1978 ATLANTIC ALLOCATIONS.  
(SEE FOR EXAMPLE CURRENT FOREIGN RELATIONS DATED NOV. 23,  
1977). IN DISCUSSING MATTER WITH EAST GERMANS, EMBASSY  
SHOULD EMPHASIZE THAT OUR ALLOCATIONS WERE DICTATED BY  
CONSTRAINTS OF OUR LAW AND SHARP OVERALL CUTS IN ATLANTIC.  
THERE WAS NO INTENTION OF DISCRIMINATING AGAINST GDR; NO  
HIDDEN MOTIVES WERE INVOLVED; AND SITUATION WITH RESPECT  
TO FISHERIES ALLOCATIONS SHOULD NOT BE CONSTRUED  
IN ANY WAY AS HAVING POLICY IMPLICATIONS IN OTHER  
AREAS. VANCE

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ORIGIN OES-07

INFO OCT-01 EUR-12 ISO-00 /020 R

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DRAFTED BY:OES/OFA/FA/FA:DIYELLMAN

APPROVED BY:OES/OFA/FA:DIYELLMAN

-----024823 130631Z /17

P 130435Z DEC 77

FM SECSTATE WASHDC

INFO AMEMBASSY SOFIA PRIORITY 0986

LIMITED OFFICIAL USE STATE 290881

FOLLOWING REPEAT STATE 290881 ACTION BERLIN INFO  
COPENHAGEN DEC 5.

QUOTE: LIMITED OFFICIAL USE STATE 290881

COPENHAGEN FOR FISHATT

E.O. 11652: N/A

TAGS: EFIS, FE

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UNQUOTE CHRISTOPHER

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## Message Attributes

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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
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**Disposition History:** n/a  
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**Drafter:** DYELLMAN:EEB  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Original Handling Restrictions:** n/a  
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**Reference:** 77 STATE 286064, 77 BERLIN 8891  
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**Review Release Event:** n/a  
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**Status:** NATIVE  
**Subject:** ALLOCATION OF RESOURCES AVAILABLE FOR FOREIGN FISHING OFF U.S. NORTH AND MID-ATLANTIC COASTS FOR 1978  
**TAGS:** EFIS, GC  
**To:** BERLIN  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/b66aa70a-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
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22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009